

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of California ☒

RONALD CUPP

Plaintiff(s)

v.

MCCARTHY BURGESS AND WOLFF, INC.

Defendant(s)

Civil Action No.

CV 24

7389

LJC

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) MCCARTHY BURGESS AND WOLFF, INC.  
26000 CANNON RD, CLEVELAND OH 44146

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

RONALD CUPP  
150 RALEY TOWN CENTER STE 2512  
ROHNERT PARK, CA 94928

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date:

10/23/2024

CLERK OF COURT

MARK B. BUSBY

ALENA KOKICH

Signature of Clerk or Deputy Clerk

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Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for (name of individual and title, if any) MCCARTHY BURGESS + WOLFF, INC  
 was received by me on (date) 10-23-24

☒ I personally served the summons on the individual at (place) 26000 CANYON RD  
BEDFORD, OH on (date) 10-25-24; or

☐ I left the summons at the individual's residence or usual place of abode with (name) \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on (date) \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☒ I served the summons on (name of individual) OFFICE MOR, who is  
 designated by law to accept service of process on behalf of (name of organization) MCCARTHY  
BURGESS + WOLFF INC on (date) 10-25-24; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other (specify): \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 10-25-24

SEE PGS 10 ATTACHED  
 Server's signature

MONICA CORPENING  
 Printed name and title

2000 LEE RD #499  
CLEVELAND HTS, OH 44118  
 Server's address

Additional information regarding attempted service, etc:

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State, Bar number, and address): <b>CUPP RONALD &lt;roncupp.law.research@gmail.com&gt;</b> <b>150 RALEY TOWN CENTER</b>		<b>FOR COURT USE ONLY</b>
TELEPHONE NO.: <b>707-318-9929</b> FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): <b>RONALD CUPP</b>		
<b>United States District Court, Northern District of California</b> STREET ADDRESS: <b>450 Golden Gate Ave. 16th Floor</b> MAILING ADDRESS: <b>450 Golden Gate Ave. 16th Floor</b> CITY AND ZIP CODE: <b>San Francisco 94102</b> BRANCH NAME: <b>Phillip Burton Federal Building</b>		
PLAINTIFF/PETITIONER: <b>RONALD CUPP</b>		CASE NUMBER:  <b>24-CV-07389-LJC</b>
DEFENDANT/RESPONDENT: <b>MCCARTHY BURGESS AND WOLFF INC</b>		
<b>PROOF OF SERVICE OF SUMMONS</b>		Ref. No. or File No.: <b>CUPP V MCCARTHY BURGESS AND WOLFF INC</b>

**BY FAX**

1. At the time of service I was at least 18 years of age and not a party to this action.

2. I served copies of *(specify documents)*:  
**SUMMONS; ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR DEADLINES; STANDING ORDER; CONSENT OR DECLINATION TO MAGISTRATE JUDGE JURISDICTION; NOTICE OF ASSIGNMENT OF CASE; WAIVER OF SERVICE OF A SUMMONS; NOTICE OF A LAWSUIT AND REQUEST TO WAIVE SERVICE OF A SUMMONS; COMPLAINT**

3. a. Party served *(specify name of party as shown on documents served)*:  
**MCCARTHY, BURGESS, & WOLFF, INC**

b. ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b whom substituted service was made) *(specify name and relationship to the party named in item 3a )*:

4. Address where the party was served:  
**26000 Cannon Rd, Bedford, OH 44146**

5. I served the party *(check proper box)*

a. ☒ **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on *(date)*: **10/25/2024** at *(time)*: **11:04 AM**

b. ☐ **by substituted service.** On *(date)*: \_\_\_\_\_ at *(time)*: \_\_\_\_\_ I left the documents listed in item 2 with or in the presence of *(name and title or relationship to person indicated in item 3)*:

(1) ☐ **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.

(2) ☐ **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.

(3) ☐ **(physical address unknown)** a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.

(4) ☐ I thereafter caused to be mailed (by first class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc § 415.20). Documents were mailed on *(date)*: \_\_\_\_\_ from *(city)*: \_\_\_\_\_ or ☐ a declaration of mailing is attached.

(5) ☐ I attach a **declaration of diligence** stating actions taken first to attempt personal service.





PLAINTIFF/PETITIONER: RONALD CUPP	CASE NUMBER:
DEFENDANT/RESPONDENT: MCCARTHY BURGESS AND WOLFF INC	24-CV-07389-LJC

- c. ☐ **by mail and acknowledgement of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on (date): (2) from (city):
- (3) ☐ with two copies of the *Notice and Acknowledgement of Receipt* and a postage-paid return envelope addressed to me. (*Attach completed Notice and Acknowledgement of Receipt.*) (Code Civ. Proc., § 415.30)
- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40)
- d. ☐ **by other means** (*specify means of service and authorizing code section*):

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. ☐ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (*specify*):
- c. ☐ as occupant.
- d. ☒ On behalf of (*specify*) **MCCARTHY, BURGESS, & WOLFF, INC**  
under the following Code of Civil Procedure section:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> 416.10 (corporation)          | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation)             | <input type="checkbox"/> 416.60 (minor)                               |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee)                 |
| <input type="checkbox"/> 416.40 (association or partnership)      | <input type="checkbox"/> 416.90 (authorized person)                   |
| <input type="checkbox"/> 416.50 (public entity)                   | <input type="checkbox"/> 415.46 (occupant)                            |
|   | <input type="checkbox"/> other:                                       |

7. **Person who served papers**

- a. Name: **Monica Corpening**
- b. Address: **2000 Lee Rd, Suite 499, Cleveland Heights, OH 44118**
- c. Telephone number: **216-870-6390**
- d. The fee for service was: **\$ 95.00**
- e. I am:

- (1) ☒ not a registered California process server.
- (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
- (3) ☐ registered California process server:
- (i) ☐ owner ☐ employee ☐ independent contractor. For:
- (ii) ☐ Registration No.: Registration #:
- (iii) ☐ County: County:

BY FAX

**PROOF OF SERVICE OF SUMMONS**

Tracking #: 0146987289



REF: CUPP V MCCARTHY BURGESS AND WOLFF INC



8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.  
or  
9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: 10/25/2024

**Monica Corpening**

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)



(SIGNATURE)

